

### REMARKS

Claims 1-9, 11-19, and 21-26 are pending in the present application. Claims 1 and 13 have been amended to recite additional details regarding the triaxial material. Support for the amendment to Claims 1 and 13 is found in FIGURE 3 of the present application. In addition, new Claims 27 and 28 have been added, reciting additional features of the recited triaxial material. Support for the subject matter of new Claims 27 and 28 is present in FIGURE 3.

Claims 1-9, 11-19, and 21-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,176,951 to Rudo. For the following reasons, applicant respectfully traverses this rejection.

Claim 1, from which Claims 2-9 and 11-12 depend, and independent Claim 13, from which Claims 14-19 and 21-26 depend, have been amended to recite that each layer of the triaxial material includes first, second, and third fiber sets, with the first fiber set extending along its longitudinal axis in a direction different than a direction the longitudinal axis of the second fiber set and the third fiber set extend. In addition, Claims 1 and 13 have been amended to recite that the second fiber set extends along its longitudinal axis in a direction different than a direction the longitudinal axis of the third fiber set extends. This feature recited in amended Claim 1 and amended Claim 13 is not disclosed or suggested by Rudo.

The Examiner's Action identifies U.S. Patent No. 4,960,349 to Willibey et al. as teaching a triaxial material. Based on a reference in the Rudo patent to the Willibey patent, the Examiner's Action asserts that the subject matter of Claims 1-9, 11-19, and 21-26, is not novel or is obvious over Rudo. For the following reasons, applicant traverses this rejection.

Referring to FIGURE 1, the Willibey patent describes a fabric grid 10 that includes a number of spaced apart pick yarn bundles 16 and a number of spaced apart warp yarn bundles 20. The pick yarn bundles 16 extend in one direction and the warp yarn bundles 20

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

extend in another direction. In FIGURE 1, the pick yarn bundles 16 extend in a direction that is 90 degrees relative to the direction that the warp yarn bundles extend. Thus, Willibey teaches only two fiber sets. Willibey does not teach a triaxial material having a first fiber set, second fiber set, and third fiber set where the first fiber set extends along its longitudinal axis in a direction different than a direction the longitudinal axis of the second fiber set and the third fiber set extends and wherein the second fiber set extends along its longitudinal axis in a direction different than a direction the longitudinal axis of the third fiber set extends. Since Rudo does not teach or suggest a triaxial material with these characteristics, it does not anticipate or render obvious the subject matter of Claims 1 and 13, Claims 2-9, 11-12, 14-19, and 21-26 that depend therefrom.

Claims 1-9, 11-19, and 21-26 are rejected under 35 U.S.C. § 103(a) as being obvious over Rudo, in view of U.S. Patent No. 4,960,349 to Willibey et al. For the following reasons, applicant respectfully traverses this rejection.

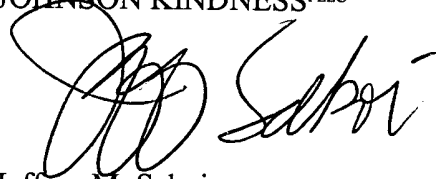
As noted above, the Willibey et al. reference does not teach or suggest a triaxial material having first, second, and third fiber sets, wherein the first fiber set extends along its longitudinal axis in a direction different than a direction the longitudinal axis of the second fiber set and the third fiber set extend and the second fiber set extends along its longitudinal axis in a direction different than a direction the longitudinal axis of the third fiber set extends. Accordingly, since the combination of Rudo and Willibey et al. proposed in the Examiner's Action does not teach each of the elements of independent Claims 1 and 13 from which the balance of the rejected claims depend, a *prima facie* case of obviousness has not been established. Accordingly, the outstanding rejection of Claims 1-9, 11-19, and 21-26 under 35 U.S.C. § 103(a), as being obvious over Rudo in view of Willibey et al., should be withdrawn.

New Claims 27 and 28 have been added to further recite that the first fiber set and second fiber set are oriented about 90 degrees to each other and the third fiber set is oriented about 45 degrees relative to the first fiber set and second fiber set. Neither Rudo alone, or in combination with Willibey et al. teach or suggest this aspect of the claimed invention. Accordingly, the subject matter of new Claims 27 and 28 is novel and unobvious over the cited references.

For the foregoing reasons, the Examiner should withdraw the outstanding rejections and allow the application. If the Examiner has any questions regarding the above, he is invited to call applicant's attorney at the number listed below so that any outstanding issues can be resolved in a timely and efficient manner.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Jeffrey M. Sakoi  
Registration No. 32,059  
Direct Dial No. 206.695.1713

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: September 19, 2006 Debbie L. Whitney

JMS:dlw/dmg

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100